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#### IV.—THE TABULA VALERIA.

In a letter to Terentia (ad Fam. XIV 2. 2) written from Thessalonica during his exile, Cicero says: *A te quidem omnia fieri fortissime et amantissime video, nec miror, sed maereo casum eius modi ut tantis tuis miseriis meae miseriae subleventur. Nam ad me P. Valerius, homo officiosus, scripsit, id quod ego maxima cum fletu legi, quem ad modum a Vestae ad tabulam Valeriam ducta esses.*

The meaning of this phrase has always been a disputed point, and it is the purpose of this paper to discuss the opposing views with some of the arguments advanced on either side. Mommsen, Jordan, Gilbert, Tyrrell and the various editors of Cicero have stated their opinion of its meaning, but so far as I know there is no such discussion of the matter in print.

The general thought of the passage in question is plainly this, that Terentia was forced to undergo some indignities at the hands of the persecutors of her husband. It is probable too, from the context, that this refers to some sort of financial transaction, but whether a declaration of the amount of money Cicero possessed, the amount Terentia herself had, what means Cicero may have taken to evade the rigor of the confiscation, or whether Terentia goes to some banker to borrow, is left wholly uncertain. We turn first to the other occurrence of the phrase for light, and read in the *interrogatio* in Vatinius 21, where Cicero is attacking Vatinius for his conduct towards the consul Bibulus: *volo uti mihi respondeas, cum M. Bibulum consulem non dicam bene de re publica sentientem, ne tu mihi homo potens irascere, qui ab eo dissensisti, sed hominem certe nusquam progredientem, nihil in re publica molientem, tantum animo ab actionibus tuis dissentientem, cum eum tu consulem in vincula duceres et a tabula Valeria collegae tui mitti iuberent, fecerisne ante rostra pontem continuatis tribunalibus, per quem consul populi Romani moderatissimus et constantissimus sublato auxilio, exclusis amicis, vi perditorum hominum incitata turpissimo miserrimoque spectaculo non in carcerem sed ad supplicium et ad necem duceretur.*

This seems to mean that in the year 59 B. C. Vatinius, then a tribune, had seized Bibulus and attempted to throw him into prison, and to prevent any rescue by Bibulus' friends, he had made a sort of raised way through the Forum out of the various *tribunalia* to be found there. The other tribunes—a *tabula Valeria*—had ordered him to release the consul.

On this passage we have the following note in the Scholia Bobiensia: *hi collegae intercesserant P. Vatinio furenti M. Bibulum in invidiam duci* (or according to Orelli's emendation: *iubenti M. Bibulum in vincula duci*).

The most natural inference from Cicero's statement is that Vatinius had made the necessary preparations and was actually dragging Bibulus to prison, when stopped by his colleagues. Compare Dio. XXXVIII 6 *ἐπεχείρησε μὲν γὰρ αὐτὸν ἐπὶ τοῦτοις Πούπλιός τις Ἀτίνιος δῆμαρχος ἐς τὸ οἶκημα καταθέσθαι τῶν δὲ συναρχόντων οἱ ἐναντιωθέντων οὐκ ἐνέβαλεν*.

The Scholiast goes on to say: *quod vero ad tabulam Valeriam pertinere videatur, loci nomen sic ferebatur, quemadmodum ad tabulam Sestiam, cuius meminit pro Quinctio, ita et ad tabulam Valeriam dicebatur, ubi Valerius Maximus tabulam rerum ab se in Gallia prospere gestarum proposuerat ostentui vulgo.*

From this statement we infer that *ad tabulam Valeriam* was a definite spot in the city where the tribunes who interfered with the carrying out of Vatinius' design were for some reason gathered.

The Scholiast supports his explanation by referring to the *tabula Sestia* mentioned in the *orat. pro Quinctio* 25, and ascribes the origin of the name to the fact that Valerius Maximus had a painting made representing his deeds of prowess in Gaul. Valerius Maximus, however, won renown in Sicily, not Gaul, and *Gallia* must in any case be an error for *Sicilia*.

Compare now the passage, first cited by Orelli, in Pliny, N. H. XXXV 22, where, after speaking of the painting by Fabius Pictor on the wall of the temple of Salus—a painting which still existed in Pliny's time, though the temple had been burned in Claudius' reign—we read: *dignatio autem praecipua Romae increvit, ut existimo, a M'. Val. Maximo Messala, qui princeps tabulam pictam proeli quo Carthaginenses et Hieronem in Sicilia vicerat proposuit in latere curiae Hostiliae anno ab urbe condita CCCCXC (490/264).*

Without doubt the Scholiast drew his information from Pliny,

and there is no reason for discrediting the latter's statement that such a painting had been on the wall of the Curia Hostilia.

Of the history of the Curia Hostilia down to the time of Sulla, tradition is silent. Pliny (N. H. XXXIV 26) says: *invenio et Pythagorae et Alcibiadi in cornibus comitii positas, cum bello Samniti Apollo Pythius iussisset fortissimo Graiae gentis et alteri sapientissimo simulacra celebri loco dedicare. Eae stetero donec Sulla dictator ibi curiam faceret*; and Dion Cass. XL 50 ἦν μὲν γὰρ (τὸ βουλευτήριον) τὸ Ὀστίλιον, μετεσκεύαστο δὲ ὑπὸ τοῦ Σύλλου.

According to these statements, the old senate house was taken down entirely or restored by the dictator. The Curia which he built was burned not many years later during the Clodian riots of the year 54, and rebuilt by Faustus Sulla, under the name of the Curia Cornelia. Cicero (de Fin. 5. 2) says: *Hostiliam dico, non hanc novam quae minor mihi esse videtur postea quam est maior*, showing that the name Curia Hostilia continued to be applied to the building, after Sulla's restoration, until its destruction in 54.

There is then no doubt that Sulla restored or enlarged and rebuilt the building, and the question at once arises whether a painting on the wall of the old Curia would have been preserved or replaced on the wall of the new.

We know not what vicissitudes the Curia may have undergone between 263 and Sulla's restoration, but in the passage previously quoted from Pliny (XXXV 19) we are told that Fabius' painting on the walls of the temple of Salus was still in existence, although the temple itself had been burned under Claudius. Up to this point the only thing of which we can be certain is that there was on the wall of the old Curia a painting of Valerius' victory. If there was then a *tabula Valeria*—in the sense of a painting on the wall—in 58 B. C. it must have been the original carefully preserved and perhaps transferred to the wall of the new building, or a copy of the original made at the order of Sulla. No proof or disproof of either of these hypotheses is possible, but the latter is perhaps more probable than the former.

The second question then arises: Is there any evidence for the truth of the Scholiast's statement that in the year 58, *ad tabulam Valeriam* was the designation of a definite spot?

Manifestly this is connected with the preceding discussion, to this extent, that if there was such a painting on the wall of the Curia at that time, it would be natural and entirely probable that the spot beside the wall should be called *ad tabulam Valeriam*.

If the picture had been destroyed, the name might have clung to the spot, but in view of the probable changes in the building made by Sulla, it would hardly have done so unless some particular importance was attached thereto. Certain officers might have been stationed there, certain official acts have been performed there, or something of similar nature. Instances of this sort of topographical tradition are common enough everywhere, as the custom of calling small districts after the name of an old tavern, years after every trace of the tavern has disappeared.

But the Scholiast supports his statement by citing Cicero pro Quinctio 25, *ad tabulam Sestiam*. The context is as follows. Quinctius and Naevius, after quarrelling over their pecuniary obligations to each other, had separated without giving bonds to appear in court at any particular time. Naevius stayed in Rome, while Quinctius started for Gaul. As soon as Naevius found that Quinctius had got as far away as Vada Volaterrana, he proceeded to do what Cicero describes in the following words: *pueros circum amicos dimittit, ipse suos necessarios ab atriis Liciniis et a faucibus macelli corrogat, ut ad tabulam Sextiam sibi adsint hora secunda postridie. Veniunt frequentes. Testificatur iste P. Quinctium non stitisse et stitisse se; tabulae maxime signis hominum nobilium consignantur, disceditur. Postulat a Burrieno praetore Naevius, ut ex edicto bona possidere liceat.*

Evidently *ad tabulam Sestiam* was a place where formal declarations of a legal sort were properly made, and testimony taken.

We know nothing of any Sestius or Sextius whose deeds may have been commemorated by a painting, nor have we the slightest hint elsewhere of the possible location of this *tabula*, and can therefore add no evidence to this part of the Scholiast's testimony.

Those who maintain that *tabula Valeria* means the 'bank of Valerius' start with this passage in pro Quinct., interpreting *tabula Sextia* as the bank or exchange of some Sextius. These are the only two cases where *tabula* is used in the singular with an adjective derived from a proper name. Cicero uses the word of an auction bill and apparently of an auction room (ad Att. XII 40. 4; XIII 33. 4; XV 3. 2), but nowhere of a banker's table. While there is perhaps nothing in the expression itself which would render such a view impossible, it should be at least clearly required by the context. This is not so here, for there is no reason why, for a legal declaration of this sort, Naevius should

call his friends together at some money-lender's. Applying this meaning of *tabula Sextia* to *tabula Valeria* in the passage in the letter to Terentia, Tyrrell (ad loc.) explains its sense thus: "*Tabula Valeria* is the 'bank of Valerius.' It seems to have been customary in Rome for a person about to make a solemn statement as to his solvency or such like matters to repair to a banker's, and there make the statement in presence of witnesses. It was to make such a solemn declaration that Naevius summoned his friends *ad tabulam Sestiam* (pro Quinct. 25). Terentia was probably forced by Clodius to repair to the bank of Valerius, there to make some declaration about her husband's estate, probably that no effects had been made away with, or that she was not keeping the property under the pretence that it was hers. We see from a previous letter that Cicero had resorted to some means to evade the full rigor of the confiscation. It cannot have been merely to borrow money that Terentia was taken to the *tabula Valeria*. There would have been no humiliation, if she had had credit enough to borrow from the bank; and no object in taking her there if she had not."

In criticism of this view, it is to be said that it rests on two pure assumptions, one that *tabula* in these places means bank, and second that such a bank was an ordinary place of legal declaration, with the inference from these premises that Terentia was to swear to some facts about her own or Cicero's property. These may be true, but it is important to bear in mind that they are not yet proven.

The second explanation of the phrase is that suggested by Manutius' conjecture that there was a sort of tribunes' court *ad tabulam Valeriam*, to which Terentia was forced to go by Clodius, presumably to answer for Cicero's property in some way or give security therefor. His explanation was of course based on the expression in the inter. in Vat. 21: *a tabula Valeria collegae tui*, which may well mean that that was the assembling place of the tribunes, and that those who were there assembled prevented Vatinius from thrusting Bibulus into prison. Certain topographical arguments can be adduced in support of this view.

Plutarch in his Life of Cato the Younger (§5), speaking of the Basilica Porcia, says: *είωθότες ἐκεῖ χρηματίζειν οἱ δῆμαρχοι καὶ κίονος τοῖς δίφροις ἐμποδῶν εἶναι δοκοῦντος ἔγνωσαν ἰφελεῖν αὐτὸν ἢ μεταστήσαι.*

Compare further Cic. pro Sest. 124, where Sestius the tribune

venit, ut scitis, a columna Maenia; and ib. 18: alter (Gabinus) . . . ne in Scyllaeo illo aeris alieni tamquam fretu ad columnam adhaeresceret, in tribunatus portum perfugerat.

The *columna Maenia* is probably then the κίλιον mentioned by Plutarch, and stood in front of the Basilica Porcia, which was itself close to the Curia. The painting would be on the side of the Curia rather than on the façade, and it and the *columna* might be so close together that the station of the tribunes could be designated in either way.

Again in Suetonius, Iul. Caes. 78, we read: idque factum eius tanto intolerabilius est visum, quod ipse triumphanti et subsellia tribunicia praetervehenti sibi unum e collegio Pontium Aquilam non assurrexisse adeo indignatus sit, ut . . ., showing that the tribunes sat outside the Basilica, and close to the Sacra Via, the route of the triumph, which ran in front of the Basilica.

Mommsen cites also CIL. VI 2340: publicus a subsellio tribunorum, which refers to a public slave attached to the office of the tribunes, showing that such a local station was recognized.

It being granted that the tribunes did assemble near where there had been a painting of Valerius' victory, it must be shown further that this explanation of *ad tabulam Valeriam* gives the desired sense in the two passages in question. This is certainly the case in the passage in Vat. 21. *A tabula Valeria collegae tui* means the rest of the tribunes assembled there and either actually witnessing Vatinius' unlawful proceedings or possibly only knowing of his purpose. The former is altogether more likely, and just what we should expect.

Further, the form of the expression is parallel to the inscriptional *publicus a subsellio tribunorum*. The other explanation of *a tabula Valeria* here leaves us with no known reason why Cicero should have used the phrase at all.

Applying this interpretation to the passage in Cicero's letter, Manutius' conjecture is justified by the sense given. Clodius would naturally drag Terentia to his own official station, if he suspected that she was helping her husband to evade confiscation, and might require her to give some security. We are wholly in the dark as to the exact nature of the proceedings, and they may have served no purpose except to humiliate and insult Terentia.

To sum up—there are in support of the view that *ad tabulam Valeriam* denoted a definite spot, so called from the painting,

and in this case the place where the tribunes were wont to assemble—(1) the statement of the Scholiast; (2) the evidence that the tribunes did gather near the Basilica Porcia; (3) the propriety of the expression *a tabula Valeria collegae tui*, and the sense so given to that passage (in Vat. 21); (4) the good sense also given to the passage in the letter to Terentia.

Against this interpretation it may be urged (1) that it is improbable that the painting on the wall of the Curia was preserved, or a new one made, by Sulla, and that therefore there is a still greater improbability that the name remained attached to the spot, even if it had once been given; and (2) that the translation 'bank of Valerius' is the more satisfactory in the passage in the letter to Terentia. In answer to this last objection, even if we grant that this meaning is equally good in relation to Terentia (and the preceding discussion prevents our allowing it to be better), it certainly is not satisfactory in the connection of in Vat. 21.

In regard to the first objection, if we grant at once that it was unlikely or even impossible that the original painting should be preserved, in spite of the case already quoted from Pliny of the painting by Fabius on the temple of Salus, still it is not at all unlikely that it should have been reproduced on the new Curia by the command of the dictator. This picture must have been one of the famous things in Rome, and its origin, associations and connection with the senate house must have made it something which the people would have been loath to lose.

The more we reflect upon its peculiar character, history and surroundings, and the comparative rarity of such things in the early days of the city, the more we shall be convinced that it would be most natural to speak of the adjacent open space as *ad tabulam Valeriam*.

Any argument from the use of *ad tabulam Sestiam* (pro Quinct. 25) is without value in support of either view.

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